

Certificate of Mailing

"Express Mail" mailing label number EV 332 012 051US I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated and is addressed to: Mail Stop: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on December 5, 2003.

By: Nancy RamosPrinted: Nancy Ramos

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)

Box Patent Application
 Commissioner for Patents
 P.O. Box 2327
 Arlington, VA 22202
 Dear Sir:

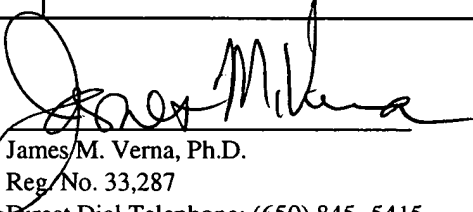
This is a request for filing a **DIVISIONAL** application under 37 CFR 1.53(b) of pending prior application Serial No. 10/049,797, filed on February 12, 2002, which is the national stage of International Application No. PCT/US00/22518, filed on August 16, 2000 under 35 U.S.C. § 371, which claims benefit under 35 U.S.C. § 119(e) of provisional application 60/149,388, filed on August 17, 1999; all entitled ISOMERASES PROTEINS, all of which are incorporated herein by reference.

X	Enclosed is a specification corresponding to the prior application, U. S. Application Serial No. 10/049,797 , filed on February 12, 2002 , including the oath or declaration as originally signed. The specification does not contain any subject matter that would have been new matter in the prior application.
X	With regard to the requirement of 37 CFR 1.821(e) which requires that a copy of the Sequence Listing in computer readable form (CRF) be submitted, Applicants state that the paper copy of the Sequence Listing for the instant divisional application is identical with the computer readable form filed with Serial No. 10/049,797 , filed February 12, 2002 , to which priority is claimed. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed with U.S. Application Serial No. 10/049,797 as the computer readable form for the instant divisional application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application.
	Amend the specification by inserting after the title: "This application is a application of U.S. application serial number , filed , all of which applications and patents are hereby incorporated herein by reference."
X	Cancel in this application original claims 1-28 , before calculating the filing fee, without prejudice or disclaimer. Applicants submit that these claims were included in the application as filed in the interest of providing notice to the public of certain specific subject matter intended to be claimed, and are being canceled at this time in the interest of reducing filing costs. Applicants expressly state that these claims are not being canceled for reasons related to patentability, and are in fact fully supported by the specification as filed. Applicants expressly reserve the right to reinstate these claims or to add other claims during prosecution of this application or a continuation or divisional application. Applicants expressly do not disclaim the subject matter of any invention disclosed herein which is not set forth in the instantly filed claims.
X	The inventor(s) of the invention being claimed in this application is (are): Olga Bandman, D. Aina Lu, Henry Yue, Bao Tran, Jennifer L. Hillman, Mariah R. Baughn, Preeti G. Lal, Y. Tom Tang.

X	The prior application is assigned of record to <u>Incyte Corporation, formerly known as Incyte Genomics, Inc., also formerly known as Incyte Pharmaceuticals, Inc.</u> , recorded on February 12, 2002 , at reel /frame 012895/0524 .																						
X	The power of attorney of the prior application is to: <table border="0"> <tr> <td>Lucy J. Billings</td> <td>Reg. No. 36,749</td> </tr> <tr> <td>Michael C. Cerrone</td> <td>Reg. No. 39,132</td> </tr> <tr> <td>Diana Hamlet-Cox</td> <td>Reg. No. 33,302</td> </tr> <tr> <td>Richard C. Ekstrom</td> <td>Reg. No. 37,027</td> </tr> <tr> <td>Barrie D. Greene</td> <td>Reg. No. 46,740</td> </tr> <tr> <td>Lynn E. Murry</td> <td>Reg. No. 42,918</td> </tr> <tr> <td>Shirley A. Recipon</td> <td>Reg. No. 47,016</td> </tr> <tr> <td>Cathleen M. Rocco</td> <td>Reg. No. 46,172</td> </tr> <tr> <td>Susan K. Sather</td> <td>Reg. No. 44,316</td> </tr> <tr> <td>Michelle M. Stempien</td> <td>Reg. No. 41,327</td> </tr> <tr> <td>David G. Streeter</td> <td>Reg. No. 43,168</td> </tr> </table>	Lucy J. Billings	Reg. No. 36,749	Michael C. Cerrone	Reg. No. 39,132	Diana Hamlet-Cox	Reg. No. 33,302	Richard C. Ekstrom	Reg. No. 37,027	Barrie D. Greene	Reg. No. 46,740	Lynn E. Murry	Reg. No. 42,918	Shirley A. Recipon	Reg. No. 47,016	Cathleen M. Rocco	Reg. No. 46,172	Susan K. Sather	Reg. No. 44,316	Michelle M. Stempien	Reg. No. 41,327	David G. Streeter	Reg. No. 43,168
Lucy J. Billings	Reg. No. 36,749																						
Michael C. Cerrone	Reg. No. 39,132																						
Diana Hamlet-Cox	Reg. No. 33,302																						
Richard C. Ekstrom	Reg. No. 37,027																						
Barrie D. Greene	Reg. No. 46,740																						
Lynn E. Murry	Reg. No. 42,918																						
Shirley A. Recipon	Reg. No. 47,016																						
Cathleen M. Rocco	Reg. No. 46,172																						
Susan K. Sather	Reg. No. 44,316																						
Michelle M. Stempien	Reg. No. 41,327																						
David G. Streeter	Reg. No. 43,168																						
X	The invention was not made by an agency of the United States Government or under a contract with an agency of the United States Government.																						
ENCLOSURES																							
X	Application Data Sheet (ADS) (<u>6</u> pp.).																						
X	Blanket Exemption from Requirements Under § 42 U.S.C. 2182 Letter (1 pg.).																						
X	In accordance with 37 CFR 1.63(d), a copy of the originally signed declaration showing applicant's/applicants' signature(s) as filed on (<u>10</u> pp., signed in counter-part).																						
X	Information Disclosure Statement (2 pp.); and List of References Cited PTO-1449 (1 pp.).																						
X	A new Certification under 37 C.F.R. §3.73(b), Revocation of Power of Attorney and Appointment of New Attorneys (2 pp.).																						
X	Preliminary Amendment (<u>10</u> pp.)																						
X	Copy of Submission under 37 C.F.R. § 1.821-1.825 Sequence Listing (1 pg.).																						

CLAIMS AS FILED							
Claims	Number Filed	Minus	Number Extra	Other Than Small Entity		Basic Fee	
				Rate	Fee	\$	
							770.00
Total Claims	19	-20	0	x \$18		\$	0
Indep. Claims	2	-3	0	x \$86		\$	0
Multiple Dependent Claim(s), if any				+ \$290		\$	0
Filing Fee:						\$	770.00

FEE CALCULATION AND METHOD OF PAYMENT
The Fee has been calculated as follows:

<input checked="" type="checkbox"/> Fee for filing a Divisional Application Under 37 C.F.R. 1.16 (a):	\$ <u>770.00</u>
<input checked="" type="checkbox"/> Please charge Deposit Account No. 09-0108 in the amount of :	\$ <u>770.00</u>
<p>Applicants hereby authorize the Commissioner to treat any concurrent or future reply in this application that requires a petition for an extension of time under 37 C.F.R. § 1.136(a) to be timely, as incorporating a petition for extension of time for the appropriate length of time; and to charge all required fees, including fees under 37 C.F.R. §§ 1.16, 1.17, and all required extension of time fees, or to credit any overpayment, to Deposit Account 09-0108. This sheet is enclosed in duplicate.</p>	
CORRESPONDENCE ADDRESS (Customer No. 27904)	
INCYTE CORPORATION LEGAL DEPARTMENT 3160 Porter Drive Palo Alto, California 94304	Phone: (650) 855-0555 Fax: (650) 845-4166 or (650) 849-8886
<div style="display: flex; justify-content: space-between;"> <div style="width: 35%;"> Date: <u>December 5, 2003</u> </div> <div style="width: 60%; text-align: center;"> <div style="font-size: 1.5em; margin-bottom: 5px;">  </div> By: _____ James M. Verna, Ph.D. Reg. No. 33,287 Direct Dial Telephone: (650) 845 -5415 </div> </div>	
<input checked="" type="checkbox"/> Attorney or Agent of record.	